

Judge Franklin D. Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	No. CR06-5528FDB
)	
Plaintiff,)	ORDER GRANTING
)	GOVERNMENT'S UNOPPOSED
v.)	MOTION FOR PRE-TRIAL
)	DEPOSITION OF MILITARY
TIGRA J.A. ROBERTSON,)	WITNESSES
)	
Defendant.)	
_____)	

Before this Court is the Government's Unopposed Motion for Pre-Trial Deposition of Jamie Spence and Aaron Figel.

The Court, after a consideration of all relevant information and the circumstances of this case, and based upon the facts set forth in the Government's motion, which are hereby incorporated by reference and adopted as findings of fact, finds that the interest of justice would be served by the granting of the Government's motion.

The Government and the defendant shall conduct the video deposition in a courtroom at the United States Courthouse in Tacoma, the United States Attorney's Office in Tacoma, or at another location agreed to be the parties, at a time convenient for the parties and the witnesses, but in any event no later than June 28, 2007, unless all parties shall agree to a later date.

Counsel for Tigra J.A. Robertson shall be allowed to attend the deposition and ask questions. Defense counsel may also bring support staff. If the witnesses obtain counsel,


1 they may also attend the deposition. The Government may also have support staff and
2 investigative agents present at the deposition.

3 The Government will make arrangements for the video recorder and a court
4 reporter to be present at such hearing. To the extent deemed necessary by either side, a
5 court officer may attend the hearing for the purpose of administering the oath to the
6 witness. The deposition should be conducted in a manner provided in civil actions,
7 provided that the scope and manner of examination and cross-examination shall be such
8 as would be allowed in the trial itself.

9 The deposition shall be taken and filed in the manner provided in Rule 15 of the
10 Federal Rules of Criminal Procedure, provided that the scope and manner of examination
11 and cross-examination shall be such as would be allowed in the trial itself. The
12 Government shall make available to the defendant's counsel for examination and use at
13 the taking of the deposition any statement of the witness being deposed which is in the
14 possession of the Government and to which the defendant would be entitled at trial.

15 IT IS SO ORDERED.

16
17 DATED this 18th day of June, 2007.

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20 
21 FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

22 Presented by:
23 s/ Michael Dion
24 MICHAEL DION
Assistant United States Attorney

25 s/ Jill Otake
26 JILL OTAKE
27 Assistant United States Attorney
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